

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

KELLY CAHILL, SARA)
JOHNSTON, LINDSAY)
ELIZABETH, and HEATHER)
HENDER, individually and)
on behalf of others)
similarly situated,)
)
)
Plaintiffs,)
)
vs.) Case No. 3:18-cv-01477-JR
)
NIKE, INC., an Oregon)
Corporation,)
)
Defendant.)
)

REMOTE VIDEOTAPED DEPOSITION OF EMILY TUCKER
Portland, Oregon
Friday, January 22, 2021

REPORTED BY: Dayna Michelle Glaysher
CSR No. 13079;
RPR, CRR No. 28081

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18 Also Present:

19 Lauren Thibodeaux,
20 Nike Client Representative
21 Ron Lazo,
22 Videographer

23
24
25

1 A. I mean it would've been throughout the tenure --
2 the tenure of his time as my boss. So from 2017 until I
3 left the end of 2018.

4 Q. Okay. And which bosses are you referring to?

5 Is that also [REDACTED] ? 09:53:10

6 A. Yes.

7 Q. Okay. Do you have any facts that you believe
8 would show that -- [REDACTED] going to your male direct
9 reports to get information or bring to senior leadership
10 meeting was based on gender? 09:53:25

11 A. I have -- the facts that I have before me are
12 that I had a female and two males on my team. And [REDACTED]
13 went to the two males and did not tap into the female
14 resource in the same manner.

15 Q. Who were the two males reporting to you? 09:53:50

16 A. Jesse Tsu. J- --

17 (Simultaneous cross-talk.)

18 Q. Can you spell the last name.

19 A. Yes.

20 Q. Sorry. Go ahead. 09:54:00

21 A. That's okay. J-e-s-s-e, T-s-u. T Mac, Thomas
22 McCarthy.

23 Q. Okay. And who is the female that directly
24 reported to you?

25 A. That was Raquel Carabine. 09:54:18

1 Q. What was Mr. Tsu's role?

2 A. What were they? They were a category business

3 manager.

4 Q. What was Mr. McCarthy's role?

5 A. Category business manager. 09:54:38

6 Q. And what was Ms. Carabine's role?

7 A. Category business manager.

8 Q. Were they responsible for different categories?

9 A. Yes.

10 Q. What was Mr. Tsu responsible for? 09:54:48

11 A. Jesse did -- he did the retro and launch.

12 Q. I'm sorry, are you done with your answer?

13 A. Oh. You just asked me about Jesse, yes?

14 Q. Yeah. Okay.

15 So he was responsible for retro and launch? 09:55:36

16 A. Correct.

17 Q. Got it. What categories were Mr. McCarthy

18 responsible for -- was Mr. McCarthy responsible for?

19 A. He was responsible for basketball.

20 Q. Okay. What categories was Ms. Carabine 09:55:52

21 responsible for?

22 A. She was responsible for kids.

23 Q. Okay.

24 A. And I'll add Thomas was also responsible for

25 training. 09:56:03

1 Q. Okay. How many times did you see [REDACTED] ask
2 Mr. Tsu and Mr. McCarthy to -- for information or to
3 come to a senior leadership meeting?

4 A. I mean I -- I can't tell you how many times. But
5 often it was not something that I saw happening in the 09:56:31
6 moment. It was something I learned about later.

7 Q. Okay. Can you give me an estimate in terms of
8 the senior leadership meetings how many times you saw
9 [REDACTED] ask Mr. Tsu and Mr. McCarthy come to the
10 senior leadership meeting? 09:56:50

11 A. I mean I couldn't -- I would be guessing.

12 Q. Okay. More than ten?

13 A. I would say not -- no, not more than ten.

14 Q. More than five?

15 A. More than five, I -- again, I'm guessing. 09:57:09

16 Q. Well, I don't want you to guess.

17 But can you give me an estimate?

18 So it's less than ten.

19 Is it more than five?

20 A. Why don't we say about five. 09:57:19

21 Q. Okay.

22 A. But again, it was something that I typically
23 learned about after the fact.

24 Q. Okay. Do you know what was discussed at those
25 senior leadership meetings where [REDACTED] asked Mr. Tsu 09:57:35

1 and Mr. McCarthy to attend?

2 A. It would've been -- they would've been talking
3 about sell-through, performance of our shoes in the
4 marketplace, strategy.

5 O. Okay. Do you know -- did you sit in those 09:57:58
6 meetings?

7 A. No.

8 O. Okay. So you don't know what was discussed,
9 correct?

10 A. I know what I heard after the fact.

11 O. Okay. So you know what someone told you, but you
12 don't know if they're reporting accurately, correct?

13 A. That's fair.

14 O. Okay. Do you know why [REDACTED] asked Mr. Tsu
15 and/or Mr. McCarthy to come to the senior leadership 09:58:25
16 meetings with him and did not ask Ms. Carabine?

17 A. I don't know.

18 O. Okay.

19 A. I might add that she was -- had the most tenure
20 on the team and would've been most experienced in the 09:58:44
21 role.

22 O. Maybe they just weren't talking about kids shoes
23 those days.

24 Is that a possibility?

25 A. Ever?

09:58:54

Page 43

1 Q. Well, I don't know. Neither of us were at the
2 meeting so we don't know what was discussed.

3 A. Okay.

4 Q. Is it your testimony that she was never invited
5 to a senior leadership meeting or do you just not know? 09:59:16

6 A. Not to my knowledge.

7 Q. Okay. Not that you're aware of, correct?

8 A. Yes.

9 Q. Is Ms. Carabine still at Nike?

10 A. No. 09:59:27

11 Q. Okay. Do you know when she left?

12 A. Within the last year.

13 Q. Okay. All right. And we also talked about your
14 compensation in that final role. As sales operations
15 director for Brand Jordan, you said you were paid less 09:59:52
16 than your male predecessor.

17 Who was your male predecessor?

18 A. Dave Kamm.

19 Q. Okay. Can you spell the last name? I'm sorry.

20 A. Uh-huh. That's okay. K-a-m-m. 10:00:05

21 Q. Okay. What makes you believe that you were paid
22 significantly less than Mr. Kamm?

23 A. So when I started my role as sales operations
24 director, he had left behind in -- in the files in my
25 desk drawer a 2X pay review -- a letter granting him a 10:00:38

1 CERTIFICATE

2 OF

3 CERTIFIED SHORTHAND REPORTER

6 The undersigned certified shorthand reporter
7 of the State of California does hereby certify:

8 That the foregoing deposition was taken
9 before me at the time and place therein set forth, at
10 which time the witness was duly sworn by me.

11 That the testimony of the witness and all
12 objections made at the time of the deposition were
13 recorded stenographically by me and thereafter
14 transcribed, said transcript being a true copy of my
15 shorthand notes thereof.

16 In witness whereof, I have subscribed my
17 name this date: February 4, 2021

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22 CSR Number 13079

23 RPR, CRR Number 28081

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Page 186